IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

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OLIVER A. PENTINMAKI, JR.,

                    ORDER

             Plaintiff,

                    09-cv-718-slc

    v.

STATE OF WISCONSIN,

             Defendant.

_____

Plaintiff Oliver Pentinmaki, Jr., a prisoner at the Wisconsin Resource Center in Winnebago, Wisconsin, has submitted a proposed complaint. He requests leave to proceed *in forma pauperis*. A decision on the request will be delayed until plaintiff pays an initial partial payment of the filing fee as required by 28 U.S.C. § 1915(b) and the 1996 Prison Litigation Reform Act. Plaintiff's initial partial payment cannot be calculated at this time because the trust fund account statement he submitted with his complaint does not cover the full six-month period immediately preceding the filing of his complaint.

Plaintiff's complaint was submitted on November 28, 2009. His trust fund account statement should cover the period beginning approximately May 28, 2009 and ending approximately November 26, 2009. Instead, it covers a one-month period beginning October 1 2009 and ending October 30, 2009. Once plaintiff has submitted the necessary statement, I will calculate his initial partial payment and advise him of the amount he will have to pay before the court can screen the merits of his complaint under § 1915(e)(2). Plaintiff should show a copy of this order to prison officials so that they are aware they should send either the required trust fund account statement to this court.

ORDER

IT IS ORDERED that plaintiff may have until December 21, 2009, in which to submit

a trust fund account statement for the period beginning May 28, 2009 and ending November

26, 2009. If, by December 21, 2009, plaintiff fails to respond to this order, I will assume that

he wishes to withdraw this action voluntarily and, in that case, the clerk of court is directed to

close this file without prejudice to plaintiff's filing his case at a later date.

Entered this 2nd day of December, 2009.

BY THE COURT:

/s/

STEPHEN L. CROCKER
Magistrate Judge